

Message Text

PAGE 01 STATE 117746

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DEPARTMENT OF JUSTICE, MR. BRUNO RISTAU, RM. 3613

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FM SECSTATE WASHDC

TO AMCONSUL HONG KONG PRIORITY

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SECDEF FOR PDASD (C), CID COM FOR CIOP-FR

E.O. 11652: N/A

TAGS:CGEN

SUBJECT: U.S. V. SIMMONS ET AL. S. CT. OF HONG KONG 1975

NO. 856

REF: (A) HONG KONG 5475 (B) HONG KONG 5523

1. DOJ GRATEFUL FOR INFO CONTAINED IN REFTEL (A).

2. DOJ HAS JUST RECEIVED PACKET OF COURT DOCUMENTS MAILED BY MAJOR ROSE MAY 12. WHAT ENDEAVORS ARE BEING MADE TO SEQUESTER RIGHT, TITLE, AND INTEREST IN REAL ESTATE PURCHASED BY SIMMONS IN "HANKING COURT" APARTMENT AND IN TWO AUTOMOBILES (SEE EXHIBITS AJO-62, AJO-63, AND AJO-67 TO OLSON AFFIDAVIT OF MAY 9, 1975)? DOJ OF FIRM BELIEF UNCLASSIFIED

PAGE 02 STATE 117746

THAT EVERY EFFORT MUST BE MADE TO ATTACH, SEQUESTER OR FREEZE THESE PROPERTIES TO PREVENT SALE OR ASSIGNMENT TO BONA FIDE THIRD PARTIES PENDING RESOLUTION OF GOVERNMENT'S CLAIM IN COURT.

3. WHAT DISPOSITION, IF ANY, HAS BEEN MADE BY COURT OF PLAINTIFFS' REQUEST THAT USG POST SECURITY WITH COURT? DOES MR. STEVENSON HAVE OPINION AS TO WHETHER COURT WILL IMPOSE ANY SUCH OBLIGATION ON USG? DOJ WOULD APPRECIATE ANY INFORMATION ON THAT SUBJECT TO ENABLE ITS FOREIGN LITIGATION OPERATIONS TO BUDGET TIMELY FOR BALANCE OF

CURRENT FY. IN THAT CONNECTION, DOJ ASKS THAT MR. STEVENSON BE REQUESTED TO PREPARE AND SUBMIT TO DOJ, THRU CONGEN, DETAILED STATEMENT OF HIS FIRM'S CHARGES AND EXPENSES FOR PROFESSIONAL SERVICES RENDERED TO USG UP TO MAY 31. IF AT ALL POSSIBLE, SUCH STATEMENT SHOULD REACH DOJ NOT LATER THAN JUNE 15, TO ENABLE DOJ TO SETTLE STATEMENT FROM CURRENT FY FUNDS.

4. CONCERNING PARA 6 REFTEL (A), DOES CONGEN HAVE ANY INDICATION AS TO WHAT SPECIFIC CHARGES CROWN COUNSEL MAY BE CONSIDERING AND AGAINST WHICH SPECIFIC INDIVIDUALS OR COMPANIES? DOJ WOULD BE GRATEFUL FOR COPIES OF PERTINENT PROVISIONS OF LOCAL CRIMINAL CODE.

5. IN RESPONSE TO REFTEL (B), AND AS REGARDS PURELY FACTUAL INQUIRIES, CONGEN MAY REFER TO ANY PAPERS FILED IN COURT AND WHICH, UNDER LOCAL PRACTICE, ARE DEEMED "PUBLIC DOCUMENTS". IN CONGEN'S DISCRETION, IT MAY ALSO REFER INQUIRIES TO MR. STEVENSON IN HIS CAPACITY AS USG'S LOCAL COUNSEL. LATTER SHOULD HANDLE SUCH INQUIRIES IN CONFORMITY WITH LOCAL USAGE AND CANNONS OF PROFESSIONAL ETHICS. WITH REGARD TO PRESENT OR FUTURE LITIGATION STRATEGY, CONGEN SHOULD REFER INQUIRIES TO PUBLIC INFORMATION OFFICER OF DOJ IN WASHINGTON. INGERSOLL

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<< END OF DOCUMENT >>

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